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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/345,668	06/30/1999	JOHN S. DANIEL	36968-179673	1489

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EXAMINER

LEVITAN, DMITRY

ART UNIT PAPER NUMBER

2662

DATE MAILED: 12/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/345,668	DANIEL ET AL.	
	Examiner	Art Unit	
	Dmitry Levitan	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ | 6) <input type="checkbox"/> Other: |

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Applicant amendment, filed November 26, 2002, has been entered. Claims 1-12 remain pending.

Specification

1. Abstract of disclosure and typos were corrected. The specification objections are withdrawn.

Claim Rejections - 35 USC § 112

2. Claims 1-6 rejections under 35 U.S.C. 112, first paragraph, in light of the applicant amendment, are withdrawn.

Claim Rejections - 35 USC § 102

3. Claims 1-5, 7, 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Emery (US 6,011,975).

Emery teaches a telecom system (Fig. 2) including a wireless system with a mobile switching center (Cellular MC 22 on Fig. 2) and including a wireline network (SSP 11 on Fig. 2 and col. 11 lines 2-12), wherein wireline units may call each other by using an extension (col. 24 lines 55-64).

The wireline network has a communication element (ISCP 40 and STP 31 on Fig. 2, col. 12 lines 11-13 and col. 13 lines 17-22) with access to a table with wireline entries (TCAP col. 13 lines 31-44) including wireline extension (TCAP routing number) and corresponding wireline directory number (TCAP destination number). Transaction Capabilities Application Part (TCAP) is a protocol utilizing numerous tables including the table with routing and destination numbers entries.

The telecom system includes wireline and wireless units (Fig. 2) where each unit can call the other using an extension (col. 24 lines 55-64).

The wireless system comprises:

- A. the table with entries for all wireless units (TCAP col. 13 lines 31-44),
- B. the communication element (ISCP 40 and STP 31 on Fig. 2, col. 12 lines 11-13) comprises the table (TCAP) and route the call,
- C. the MSC of the wireless network (Cellular MC 26 on Fig. 2) being connected to the communication element (ISCP 40 and STP 31 on Fig. 2) and being operative to access table (TCAP) and route calls.

The telecom system is a Centrex network where a caller would dial a limited number of digits and the network would access data in the ISCP to determine the complete destination number (col. 24 lines 55-64).

Regarding claim 4, Emery teaches MSC (MC 34 on Fig. 2 and col. 26 lines 63-68, col. 27 lines 1-24) comprising the table (TCAP of ISCP 50 on Fig. 2).

Regarding claim 9, Emery teaches qualification for wireline and wireless units (TCAP tables comprising parameters, as “Service Key” which includes the calling party address, Originating Restrictions or Terminating Restrictions col. 13 lines 35-48). Depending on the intention of “qualification”, one of the TCAP parameters will operate for both types of units.

Claim Rejections - 35 USC § 103

- 4. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emery in view of Shaffer (US 6,130,935) .

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Emery teaches all claim limitation of 1 and 7, including parts of claims 6 and 8 regarding the communication element comprising a PBX (col. 10 lines 57-67), wireline end office (SSP 11 on Fig. 2), mobile switching center (MC 22 on Fig. 2), intelligent network element (SMS 41 on Fig. 2 and col. 13 lines 50-57) and service control point (SCP 43 on Fig 2 and col. 13 lines 60-63).

Emery does not teach comprising an intelligent peripheral in his system.

Shaffer teaches an intelligent peripheral (IP 116 on Fig. 1 and col. 3 lines 3-8) in a telephone network using TCAP. It would be obvious to one of ordinary skill in the art at the time the invention was made to add an intelligent peripheral of Shaffer to the system of Emery to improve the system users interaction.

Response to Arguments

5. Applicant's arguments filed November 26, 2002 have been fully considered but they are not persuasive.

6. On page 6 of the Response, Applicant argues that Emery does not describe that a table is used for the call routing.

Examiner respectfully disagrees.

Emery teaches that a subscriber would dial a limited number of digits and the network would determine the complete destination number. This action defines a table per IEEE dictionary of standards terms (IEEE, 7th ed., p.1149) as an array of data (complete numbers), each item of which may be unambiguously identified by means of one or more arguments (limited numbers). Applicant's argument with respect to the table storage place is not believed relevant since it is not expressly claimed.

7. On page 7 of the Response, Applicant argues that Emery does not describe TCAP messages for implementing extension dialing.

Examiner respectfully disagrees.

Emery teaches that the messages transmitted between the SSP and the ISCP are all formatted in accord with TCAP (col. 13 lines 31-44). SSP can originate an abbreviated dialing plan and execute normal call processing using the complete telephone number received from ISCP (col. 25 lines 30-60).

8. On page 8 of the Response, Applicant argues that there is no motivation to combine Emery and Shaffer in the manner described by the Examiner.

Examiner respectfully disagrees.

Both, Emery and Shaffer describe telephone Centrex networks including inter-exchange carriers interaction with TCAP, billing and number translating.

Intelligent Peripherals (IP) as described by Shaffer prompt customer to press keys on the telephone set or may record messages to or from the customer. Adding IP to the system of Emery is reasonable to improve the interaction between the system users.

Examiner therefore believes that the cited references meet all the claims limitations and the rejection is proper.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Levitan whose telephone number is 703-305-4384. The examiner can normally be reached on 8:30 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 703-305-4744. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Dmitry Levitan
Patent Examiner.
December 5, 2002



HASSAN KIZOU
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